

M E M O R A N D U M

EPA Region 5 Records Ctr.



315975

DATE: April 22, 1988

TO: Division File

FROM: P. M. McCarthy and Wendy Schaufelberger *WJS*

SUBJECT: 1630450038 - St. Clair County - East St. Louis/Wastex
ILD980700744
Compliance File

On April 7, 1988, P.M. McCarthy, Mike Grant and Wendy Schaufelberger conducted the annual ISS inspection. In conjunction, an inspection relating to the July 31, 1987 Consent Decree (CD) was conducted. On April 20, 1988, a follow-up inspection was conducted by Wendy Schaufelberger and P.M. McCarthy. This memo will follow the format of the CD, beginning with Section A, Operating Requirements.

- A1. Fuel Blending and Marketing - In compliance.
- A2. Receipt of Wastes - In compliance.
- A3. Shipping of Wastes - In compliance.
- A4. Containers - Wastex, per Mr. Hein, and as observed in several buildings, has not yet begun to address this portion of the CD. This is in violation of said CD, as the language states that they were to begin "immediately" (7-31-87) and were to have been in compliance by October 31, 1987. This requirement included the physical rearrangement and closing of drums.
 - a. Drums were observed as having offset lids, missing lids, and steel rings off. Some examples included drum W-35-52, which was missing a steel ring around the top, and drums W-35-562 and W-35-692, each had lids that were not secure and offset on the opening of the drum. All were in Building #38.
 - b. As stated above, drums were observed with lids offset or open.
 - c. Leaking drums were observed on April 7, 1988. Included among them were W-35-710, W-35-750, W-35-938 and W-35-793. Drums W-35-274 and W-35-825 were observed as having holes in the lids. All were in Building #38. During the follow-up inspection on April 20, 1988, Terry Hein explained why these drums had not been overpacked. Per Terry Hein, what few overpacks that are available are being saved for "bad" leakers. More overpacks are on order.
 - d. As stated above, containers were observed open and having greater than an inch in contents.

177-2130

- e. Drums were observed in Buildings #3 and #22 in violation of these requirements. The drums were stacked greater than 2 high, 2 wide. Forty-eight inches of aisle space was not allowed for. Markings and labels were not plainly visible on all drums. However, a yellow indicator line has been placed 50' from the property line.

During the follow-up inspection on April 20, 1988, drums in Buildings #1 and #38 which had been previously observed during the April 7, 1988 inspection as damaged, not closed completely, or leaking were randomly reinspected. No changes were observed in the condition of the drums. Drums and their conditions observed is as follows:

Building #38 - W-35-27 - Hole in top
 W-35-25 - Hole in top
 W-35-267 - Plastic for a lid
 W-35-265 - Plastic for a lid
 1016 - Residue on top
 1014 - Residue on top
 886 - Hole in top and side

Building #1 - W-35-717 - Holes in side, plugged with sticks
 W-35-793 - Loose bung, leaking
 W-35-791 - Loose bung, leaking
 307 - No ring
 311 - Lid, no ring
 1690 - Green liquid pooled on top

A5. Inventory of Materials - This was to be complied with by 9/29/87 as required. A submittal was made 12/11/87, which diagrammed the location of the drums. Individual numbers were assigned to each drum in the inventory, but not all of the drums are physically numbered.

- a. In compliance.
- b. The location was diagrammed.
- c. In compliance - In some cases, the OP Record will provide additional information regarding the contents of the containers.
- d. The compatibility of waste with each type of container or tank has not been recorded with the inventory.
- e. The condition of each tank has not been recorded with the inventory. There are 31 tanks on site. The inventory lists only 27. The four new FT tanks were not included in the inventory.
- f. In compliance.
- g. Terry Hein stated containers whose contents are being sampled are not being marked with the sample number or the date of sampling.

- h. Not all containers are marked. In Buildings #3 and #22, there were drums that were not labeled or numbered.

A6. Treatment of Wastes - In compliance.

A7. Waste Analysis

- a. As of February, 1988, Wastex has been collecting samples from incoming loads. However, the loads are accepted and put into storage before the analyses are completed. Fifty-five samples have been taken by the current chemist at Wastex. Of those fifty-five, only three have had a complete analysis done. Also, according to the operating record, not all incoming loads have been sampled. For example, from 2/18/88 - 3/7/88, no samples were taken from seven bulk loads and one load of containers. Sampling and analysis records are kept by Wastex Chemist, Nick Tita. This requirement remains in violation.
- b. The analyzation that is being done is in compliance with the regulations.
- c. Completed analysis reports become part of the operating record, however, only 3 analyses have been completed out of fifty-five samples taken.
- d. By complying with appropriate portions of A15, this section will be complied with. This requirement is being satisfied through the use of the operating record.

A8. Supervision of Waste Analysis - Wastex now has a qualified and approved chemist, Nick Tita.

A9. Inspection Plan - In compliance.

A10. Daily Inspection - In compliance.

A11. Training Program - In compliance.

A12. Emergency Equipment - In compliance.

A13. Testing of Emergency Equipment - In compliance.

A14. Security - In compliance.

A15. Operating Record - There is no direct correlation between samples and the loads they are taken from. Better documentation needs to be done on the operating record to track the load and the sample taken from it so analyzation results will clearly correspond to the correct load of waste. Mr. Hein is to develop a new sample tracking log to address the above.

A16. Use of Non-Sparking Tools - In compliance. Due to the fact no processing was taking place, the assumption that appropriate tools were being used could not be substantiated.

- A17. Closure Plan - This item has been submitted but not by the required date of September 14, 1987. On September 30, 1987, it was submitted. However, it was deemed inadequate on January 13, 1988. This continues to be a violation.
- A18. Cost of Closure Plan - See A17 above.
- A19. Financial Assurance for Closure - Wastex is delinquent two annual trust fund payments. The first payment was due on May 17, 1986 for the amount of \$8917.27. The second payment was due May 17, 1987 for the amount of \$9366.20. A third payment will be due May 17, 1988 for the amount of \$9521.63. If none of these payments are made by May 17, 1988, the trust fund deficiency will total \$27,805.10. This is an ongoing violation of the Consent Decree.
- A20. Financial Responsibility for Closure - This item is monitored by the Administrative Compliance Unit of the Compliance Section.
- A21. All wastes were to be removed and properly disposed of 180 days after receipt, except as provided in Section B. The last shipment of outgoing waste was September 24, 1987. 190 days passed from the last shipment out, September 24, 1987, and the inspection of April 7, 1988. This is in direct violation of the 180-day waste disposal requirement in the Consent Decree. However, the follow-up inspection of April 20, 1988, revealed two loads of asphalt fuel went to Central Missouri Paving on April 11, 1988 and April 15, 1988, respectively.
- B2. As of 1/27/88, 2/5 of the Chase inventory was to be disposed of and a report made to IEPA and to the USEPA court. No such disposal or reporting has been done.

In summation, Wastex continues to apparently violate both RCRA regulations and the CD.

PPM:WGS:pbo/0122L

cc: DLPC - Collinsville
cc: Bruce Carlson

REC'D-LPC